Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10743-S10791

Measures Introduced: Ten bills and three resolutions were introduced, as follows: S. 1931–1940, and S. Res. 323–325.

Pages S10776–77

Measures Passed:

National Hemangioma Treatment Awareness Day: Senate agreed to S. Res. 324, designating November 1, 2009, as "National Hemangioma Treatment Awareness Day".

Page \$10791

National Hispanic Media Week: Senate agreed to S. Res. 325, designating October 25 through October 31, 2009, as "National Hispanic Media Week" in honor of the Latino Media of America.

Page S10791

Measures Considered:

Unemployment Compensation Extension Act—Agreement: Senate resumed consideration of the motion to proceed to consideration of H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation.

Pages S10769-72

During consideration of this measure today, Senate also took the following action:

By 87 yeas to 13 nays (Vote No. 329), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill.

Page S10771

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 11:30 a.m., on Wednesday, October 28, 2009, and that time during any period of morning business, recess, or adjournment count post-cloture. Page \$10791

Appointments:

Advisory Committee on Student Financial Assistance: The Chair, on behalf of the President protempore, pursuant to Public Law 99–498, as amended by Public Law 110–315, appointed the following individuals to the Advisory Committee on Student

Financial Assistance: David Gruen of Wyoming, and William Luckey of Kentucky.

Page S10791

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–37)

Page S10775

Nomination Confirmed: Senate confirmed the following nomination:

By unanimous vote of 97 yeas (Vote No. EX. 328), Irene Cornelia Berger, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

Pages S10750-56, S10756-58, S10791

Messages from the House:

Measures Referred:

Measures Placed on the Calendar:

Executive Reports of Committees:

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Page \$10775

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Page \$10775

Additional Cosponsors: Pages \$10777-78

Statements on Introduced Bills/Resolutions:

Pages \$10778-87
Additional Statements: Pages \$10774-75

Amendments Submitted: Pages \$10787-90

Authorities for Committees to Meet: Page S10790

Privileges of the Floor: Pages S10790-91

Record Votes: Two record votes were taken today. (Total—329)

Pages S10758, S10771

Adjournment: Senate convened at 10 a.m. and adjourned at 7:10 p.m., until 9:30 a.m. on Wednesday, October 28, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page \$10791.)

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Committee Meetings

(Committees not listed did not meet)

DAIRY PRICES

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Domestic and Foreign Marketing, Inspection, and Plant and Animal Health, with the Subcommittee on Production, Income Protection and Price Support, concluded a joint hearing to examine low dairy prices, focusing on exploring avenues for federal action, after receiving testimony from Russell C. Redding, Pennsylvania Acting Secretary of Agriculture, Harrisburg; Eric Ooms, New York Farm Bureau, Old Chatham; Paul Toft, Associated Milk Producers Inc., Rice Lake, Wisconsin; Ray Souza, Western United Dairymen, Turlock, California; Doug Nuttelman, Nuttelman Dairy, Stromsburg, Nebraska; Edward W. Gallagher, Dairylea Cooperative Inc., Syracuse, New York; Paul Kruse, Blue Bell Creameries, L.P., Brenham, Texas, on behalf of the International Dairy Foods Association; and Lucas S. Sjostrom, Holstein Association USA, Brattleboro, Vermont.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Christine H. Fox, of Virginia, to be Director of Cost Assessment and Program Evaluation, and Gladys Commons, of Virginia, to be Assistant Secretary of the Navy, both of the Department of Defense, and 891 nominations in the Army, Navy, Air Force, and Marine Corps.

AMERICAN RECOVERY AND REINVESTMENT ACT

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine the broadband stimulus programs in the American Recovery and Reinvestment Act, focusing on the steps taken to address challenges, and the remaining risks in evaluating applications and awarding funds and overseeing funded projects, after receiving testimony from Lawrence E. Strickling, Assistant Secretary of Commerce for Communications

and Information, National Telecommunications and Information Administration; Jonathan Adelstein, Administrator, Rural Utilities Service, USDA Rural Development, Rural Utilities Service, Department of Agriculture; and Mark L. Goldstein, Director, Physical Infrastructure Issues, Government Accountability Office.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Anne S. Ferro, of Maryland, to be Administrator of the Federal Motor Carrier Safety Administration, Cynthia L. Quarterman, of Georgia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, both of the Department of Transportation, Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security for Transportation Security Administration, Patrick Gallagher, of Maryland, to be Director of the National Institute of Standards and Technology, Department of Commerce, Elizabeth M. Robinson, of Virginia, to be Chief Financial Officer, and Paul K. Martin, of Maryland, to be Inspector General, both of the National Aeronautics and Space Administration, and a promotion list in the Coast Guard.

CLEAN ENERGY JOBS AND AMERICAN POWER ACT

Committee on Environment and Public Works: Committee held a hearing to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, receiving testimony from Steven Chu, Secretary of Energy; Ray LaHood, Secretary of Transportation; Ken Salazar, Secretary of the Interior; Lisa P. Jackson, Administrator, Environmental Protection Agency; and Jon Wellinghoff, Chairman, Federal Energy Regulatory Commission.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 3932–3946; and 3 resolutions, H. Res. 871–873, were introduced. Pages H11867–68

Additional Cosponsors:

Page H11868

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker pro tempore for today.

Page H11793

Recess: The House recessed at 10:55 a.m. and reconvened at 12 noon.

Page H11796

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Chris Williamson, Strong Tower Bible Church, Franklin, TN.

Page H11796

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010—Motion to Instruct Conferees: The House agreed to the Simpson motion to instruct conferees on H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, by a yea-and-nay vote of 267 yeas to 147 nays, Roll No. 816. Debate on the motion occurred on Monday, October 26th.

The Chair appointed the following conferees: Dicks, Moran (VA), Mollohan, Chandler, Hinchey, Olver, Pastor, Price (NC), Obey, Simpson, Calvert, LaTourette, Cole, and Lewis (CA).

Page H11826

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Monday, October 26th:

AmericaView Geospatial Imagery Mapping Program Act: H.R. 2489, amended, to authorize a comprehensive national cooperative geospatial imagery mapping program through the United States Geological Survey, to promote use of the program for education, workforce training and development, and applied research, and to support Federal, State, tribal, and local government programs, by a ½3 yea-andnay vote of 379 yeas to 33 nays, Roll No. 817 and

Pages H11824-25

Agreed to amend the title so as to read: "To authorize a national cooperative geospatial imagery program through the United States Geological Survey to promote use of remote sensing data.".

Page H11825

Recognizing Weber State University for the 120th anniversary of its founding as an institu-

tion of higher education: H. Res. 854, to recognize Weber State University for the 120th anniversary of its founding as an institution of higher education, by a ²/₃ yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 818.

Pages H11825–26

Amending title 36, United States Code, to grant a Federal charter to the Military Officers Association of America: The House passed S. 832, to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America.

Pages H11826-27

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Welcoming to the United States and to Washington, DC, His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch: H. Res. 838, amended, to welcome to the United States and to Washington, DC, His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch on his upcoming trip on October 20, 2009, through November 6, 2009; Pages H11827–30

Encouraging the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families: S. Con. Res. 45, to encourage the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families in the United States as soon as possible; and

Pages H11830-32

Honoring the 2560th anniversary of the birth of Confucius: H. Res. 784, to honor the 2560th anniversary of the birth of Confucius and recognizing his invaluable contributions to philosophy and social and political thought.

Pages H11832–33

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency declared with respect to Sudan—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–74).

Page H11826

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H11824, H11824–25, and H11825–26. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:35 p.m.

Committee Meetings

ENERGY GRID SECURITY

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled "Protecting the Electric Grid: H.R. 2165, Bulk Power System Protection Act of 2009, and H.R. 2195, To amend the Federal Power Act to provide additional authorities to adequately protect the critical electric infrastructure against cyber attack." Testimony was heard from the following officials of the Department of Energy: Joseph McClelland, Director, Office of Electric Reliability, Federal Energy Regulatory Commission; and Patricia Hoffman, Principal Deputy Assistant Secretary, Office of Electricity; and public witnesses.

PRIVATE FUND INVESTMENT ADVISERS REGISTRATION ACT OF 2009

Committee on Financial Services: Ordered reported, as amended, H.R. 3818, Private Fund Investment Advisers Registration Act of 2009.

IRAN IN THE WESTERN HEMISPHERE

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere, the Subcommittee on the Middle East and South Asia and the Subcommittee on Terrorism, Nonproliferation and Trade held a joint hearing on Iran in the Western Hemisphere. Testimony was heard frompublic witnesses.

HOMELAND SECURITY PREPAREDNESS GRANTS

Committee on Homeland Security: Subcommittee on Emergency Communications, Preparedness and Response held a hearing entitled "Preparedness: What has \$29 billion in homeland security grants bought and how do we know?" Testimony was heard from Timothy Manning, Deputy Administrator, FEMA, Department of Homeland Security; David Maxwell, Director, Department of Management, State of Arkansas; and a public witness.

FEDERAL PANDEMIC INFLUENZA RESPONSE

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity and Science, and Technology held a hearing entitled "Real-Time Assessment of the Federal Response to Pandemic Influenza." Testimony was heard from the following officials of the Department of Homeland Security: Alexander Garza, M.D., Chief Medical Officer and Assistant Secretary, Health Affairs; Richard Serino, Deputy Administrator, FEMA; and Marcy Forman, Director, Intellectual Property Rights Coordination Center; and Nicole Lurie, M.D., Assistant Secretary, Pre-

paredness and Response, Department of Health and Human Services.

LEGAL SERVICES CORPORATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on the Legal Services Corporation. Testimony was heard from the following officials of the Legal Services Corporation: Helaine Barnett, President; and Michael McKay, Vice Chairman of the Board; Susan Ragland, Director, Financial Management and Assurance Team, GAO; and public witnesses.

ASHCROFT V. IQBAL SUPREME COURT DECISION

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Civil Liberties held hearing on Access to Justice Denied: Ashcroft v. Iqbal. Testimony was heard from Gregory Katsas, former Assistant Attorney General, Civil Division, Department of Justice; and public witnesses.

MAGNUSON-STEVENS FISHERY CONSERVATION ACT IMPLEMENTATION

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on Implementation of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006. Testimony was heard from Steven A. Murawski, Director, Scientific Programs and Chief Science Advisor, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

USGS-BUREAU OF RECLAMATION AND CLIMATE MANAGEMENT

Committee on Natural Resources: Subcommittee on Water and Power held an oversight hearing entitled "Water Management and Climate Variability: Information Support at the USGS and Bureau of Reclamation." Testimony was heard from Matthew C. Larsen, Deputy Director, Water Resources Division, U.S. Geological Survey, Department of the Interior; Michael Strobel, Director, National Water and Climate Center, USDA; and public witnesses.

GOVERNMENT PROCUREMENT AND DISPOSAL

Committee on Oversight and Government Reform: Subcommittee on Government Management, Organization and Procurement held a hearing entitled "IT Procurement and Disposal: Application of the Federal Government's Green Policies in the Life Cycle Management of its IT Assets." Testimony was heard from Representatives Gene Green of Texas and Thompson of California; John Stephenson, Director, Natural Resources and Environment, GAO; Casey Coleman, Chief Information Officer, GSA; James Jones, Principal Deputy Administrator, Office of Prevention, Pesticides and Toxics, EPA; and public witnesses.

HOMELAND SECURITY SCIENCE AND TECHNOLOGY RESEARCH

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on Developing Research Priorities at DHS's Science and Technology Directorate. Testimony was heard from Brad Buswell, Acting Under Secretary, Science and Technology Directorate, Department of Homeland Security; and public witnesses.

ECONOMIC RECOVERY FUNDS OVERSIGHT

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on Recovery Tracking: Following the Dollars to the Jobs. Testimony was heard from John R. Fernandez, Assistant Secretary, Economic Development, Economic Development Administration, Department of Commerce; Robert Peck, Commissioner, Public Buildings Service, GSA; Bruce Kendall, Director, Office of Facilities Engineering and Operations, Smithsonian Institution and public witnesses.

NATIONAL SECURITY COUNCIL REVIEW

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on National Security Council Review. The Committee was briefed by departmental witnesses.

CONGRESSIONAL NOTIFICATIONS: INTELLIGENCE COMMUNITY MANAGEMENT

Permanent Select Committee on Intelligence: Subcommittee on Oversight and Investigations, and the Subcommittee on Intelligence Community Management held a joint hearing regarding the Congressional Notifications: Intelligence Community Policies, Practices, and Procedures. Testimony was heard from Robert Litt, General Counsel, Office of the Director of National Intelligence.

Joint Meetings

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 28, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment, to hold hearings to examine dark pools, flash orders, high frequency trading, and other market structure issues, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine combating distracted driving, focusing on managing behavioral and technological risks, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: to hold hearings to examine the role of natural gas in mitigating climate change, 10 a.m., SD-366.

Subcommittee on National Parks, to hold hearings to examine current and expected impacts of climate change on units of the National Park System, 2 p.m., SD–366.

Committee on Environment and Public Works: to continue hearings to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, 9:30 a.m., SD–406.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 1649, to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, S. 1862, to provide that certain Secret Service employees may elect to transition to coverage under the District of Columbia Police and Fire Fighter Retirement and Disability System, H.R. 553, to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, S. 1755, to direct the Department of Homeland Security to undertake a study on emergency communications, H.R. 730, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, S. 1825, to extend the authority for relocation expenses test programs for Federal employees, S. 1860, to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms, H.R. 955, to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the "John 'Bud' Hawk Post Office", H.R. 1516, to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the "Sergeant Marcus Mathes Post Office", H.R. 1713, to name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley "Wes" Watkins, H.R. 2004, to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the "Akron Veterans Memorial Post Office", H.R. 2760, to designate the facility of the United States Postal Service

located at 1615 North Wilcox Avenue in Los Angeles, California, as the "Johnny Grant Hollywood Post Office Building", H.R. 2972, to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the "Conrad DeRouen, Jr. Post Office", H.R. 3119, to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the "Lim Poon Lee Post Office", H.R. 3386, to designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the "Iraq and Afghanistan Veterans Memorial Post Office", H.R. 3547, to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the "Rex E. Lee Post Office Building", H.R. 2215, to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the "John J. Shivnen Post Office Building", and the nominations of Rafael Borras, of Maryland, to be Under Secretary of Management for Homeland Security, David S. Ferriero, of North Carolina, to be Archivist of the United States, National Archives and Records Administration, and Susan Tsui Grundmann, of Virginia, and Anne Marie Wagner, of Virginia, both to be a Member of the Merit Systems Protection Board, 10 a.m., SD-342.

Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine new Office of Management and Budget (OMB) guidance to combat waste, inefficiency, and misuse in federal government contracting, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine effective strategies for preventing health care fraud, 10 a.m., SD-226.

Special Committee on Aging: to hold hearings to examine 401(k) target date funds, 2 p.m., SD-562.

House

Committee on Agriculture, Subcommittee on Horticulture and Organic Agriculture, hearing to review the implementation of the Horticulture and Organic Agriculture Title of the Food, Conservation and Energy Act of 2008, 10 a.m., 1300 Longworth.

Committee on Financial Services, to consider the following measures: H.R. 3890, To amend the Securities Exchange Act of 1934 to enhance oversight of nationally recognized statistical rating organizations; and a Discussion Draft (revised) of October 16, 2009 of the Accountability and Transparency in Rating Agencies Act, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, to mark up H.R. 2194, Iran Refined Petroleum Sanctions Act of 2009, 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on A Regional Overview of the Middle East, 1 p.m., 2172 Rayburn.

Committee on the Judiciary, hearing on Legal Issues Relating to Football Head Injuries, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following bills: H.R. 2213, To reauthorize the Neotropical Migratory Bird Conservation Act; H.R. 2888, Devils' Staircase Wilderness Act of 2009; H.R. 2781, To amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System; H.R. 86, To eliminate an unused lighthouse reservation, provide management consistency by bringing the rocks and small islands along the coast of Orange County, California, and meet the original Congressional intent of preserving Orange County's rocks and small islands; and H.R. 118, To authorize the addition of 100 acres to Morristown National Historical Park, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, hearing entitled "Executive Compensation: How Much is Too Much?" 11 a.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 3854, Small Business Financing and Investment Act of 2009, 3 p.m., H-313 Capitol.

Committee on Small Business, hearing entitled "The Recovery Act and Broad Evaluation of Broadband Investments on Small Businesses and Job Creation," 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Sub-committee on Aviation, hearing on NEXTGEN: A Review of the RTCA Mid-Term Implementation Task Force Report, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, to mark up the following: H.R. 1168, Veterans Retraining Act of 2009, and a draft bill the Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, Subcommittee on Technical and Tactical Intelligence, executive, briefing on Overhead Architecture, 4 p.m., 304 HVC.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine advancing United States interests in the Organization for Security and Cooperation in Europe (OSCE) region, 2 p.m., SVC–212/210.

Next Meeting of the SENATE 9:30 a.m., Wednesday, October 28 Next Meeting of the HOUSE OF REPRESENTATIVES 10 a.m., Wednesday, October 28

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond two hours), Senate will continue consideration of the motion to proceed to consideration of H.R. 3548, Unemployment Compensation Extension Act.

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in this issue

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